## UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

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Dimitritza H. Toromanova,

v.

Case No. 2:19-cv-01575-APG

Appellant,

ORDER GRANTING MOTION TO EXPUNGE LIS PENDENS

Wilmington Savings Fund, FSB, et al.,

(ECF Nos. 44, 51)

Appellees.

Caliber Home Loans, Inc., the servicer for defendant U.S. Bank, moves to expunge the notice of lis pendens recorded against the subject property by appellant Dimitritza H. Toromanova. ECF No. 44. Toromanova did not file an opposition to the motion, but she did file a Request for Judicial Notice that seems to relate to the motion. ECF No. 51.

Federal Rule of Evidence 201(b) permits a court to take judicial notice "of a fact that is not subject to reasonable dispute." Toromanova's request for judicial notice presents arguments and the opinion of a handwriting expert. ECF No. 51. Such things are not the proper subject of judicial notice as their accuracy can reasonably be questioned. Fed. R. Evid. 201(b). I therefore deny the request for judicial notice.

Caliber's motion demonstrates good cause to expunge the lis pendens. A notice of lis pendens is a notice of a pending lawsuit affecting real property recorded in the county in which the property is located. Nev. Rev. Stat. § 14.010. Because I dismissed this action on July 27, 2020, no lawsuit remains pending to support the lis pendens. I therefore grant the motion and order the cancellation of the notice of lis pendens. I also order Toromanova to record a copy of this order of cancellation with the Clark County Recorder's office. Nev. Rev. Stat. § 14.015(5). Should she fail to do so **by November 9, 2020**, Caliber or U.S. Bank may record this order. This cancellation has the same effect as an expungement of the original notice. *Id*.

1	I THEREFORE ORDER that Toromanova's request for judicial notice (ECF No. 51) is
2	DENIED.
3	I FURTHER ORDER that Caliber's motion to expunge lis pendens (ECF No. 44) is
4	GRANTED.
5	I FURTHER ORDER appellant Dimitritza H. Toromanova to record a copy of this
6	cancellation order with the Clark County Recorder's Office by <b>November 9, 2020</b> . Should she
7	fail to do so by that date, Caliber or U.S. Bank may record this order.
8	Dated: October 9, 2020.
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10	ANDREW P. GORDON
11	UNITED STATES DISTRICT JUDGE
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